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- (d) disposing adjacent said protective layer an addressing electrode; and
 - (e) activating said addressing electrode in conjunction with said first electrode to subject said electrophoretic element to a selected one of said first applied electric field and said second applied electric field produced between said first electrode and said addressing electrode so as to address said electrophoretic element, wherein said addressing electrode comprises part of a printer apparatus through which said display element is passed to effect said addressing.
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REMARKS

Claims 1-40 were filed with the original application. Claims 11-20, 25, 34-36 and 38-40 are hereby cancelled without prejudice, and claims 1, 6, 7, 21-24, 26, 27, 32 and 37 are hereby amended. Upon entry of this Amendment, claims 1-10, 21-24, 26-33 and 37 will be pending, and are presented for reconsideration. Applicants submit that no new matter is introduced by the amendments, and that all pending claims, i.e., claims 1-10, 21-24, 26-33 and 37 are in condition for allowance.

Amendments to the Claims

Claims 11-20, 25, 34-36 and 38-40 are hereby cancelled, without prejudice, to expedite prosecution of the application. To recite claimed subject matter with more clarity, claims 1, 6, and 7 are amended by replacing "first electrode" with "electrode". Claims 21-24, 26, 27, 32 and 37 are rewritten in independent form. Applicants submit that all amendments are formal changes, and that no new matter is introduced by the amendments.

Rejection of Claims 1, 6, 7 and 34-36 Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1, 6, 7 and 34-36 are rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The cancellation of claims 34-36 renders this rejection moot with respect to claims 34-36.

As suggested by the Office action, claims 1, 6, and 7 are herein amended by replacing the term "first electrode" with the term "electrode". Accordingly, Applicants respectfully submit that the rejections of claims 1, 6 and 7 under § 112, 2nd paragraph, have been overcome. Therefore, Applicants respectfully request that the rejection of claims 1, 6, and 7 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

Rejection of Claims 11-20, 25, 34-36 and 38-40 Under 35 U.S.C. § 102(b)

Claims 11-20, 25, 34-36 and 38-40 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,218,302 to Dalisa et al. ("Dalisa"). Without acquiescing to Examiner's grounds for rejection, Applicants hereby cancel, without prejudice, claims 11-20, 25, 34-36 and 38-40 to advance the prosecution of the application. Hence, this rejection has been rendered moot.

CONCLUSION

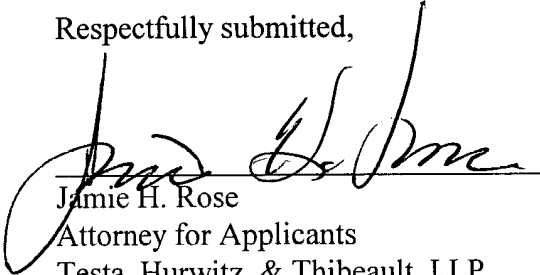
In view of the amendments presented herein, Applicants respectfully request that the rejection of claims 1, 6 and 7, as amended, be reconsidered and withdrawn, with claims 1-10, 21-24, 26-33 and 37, as amended, proceeding to issue. The Examiner is invited to call the undersigned, if the Examiner believes that a telephone conversation could be helpful in expediting prosecution of the instant application.

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Respectfully submitted,


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Marked Up Version of the Amended Claims

1. (Amended) A display, comprising:
 - (a) an electrophoretic display element capable of changing its appearance in response to an electric field; and
 - (b) [~~a-first~~] an electrode adjacent said display element, said [~~first~~] electrode comprising a protective layer adapted to prevent mechanical or electrochemical damage to said display element.
6. (Amended) The display of claim 1 wherein said [~~first~~] electrode is transparent and the protective layer is disposed upon said transparent electrode, said protective layer being capable of protecting said transparent electrode from degradation under the application of an electrical potential.
7. (Amended) The display of claim 6 wherein said [~~first~~] electrode is transparent and comprises one or more oxides selected from the group consisting of indium oxide, tin oxide and indium tin oxide.
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)

21. (Amended) [~~The display of claim 20~~] An electrostatically addressable display, comprising:

(a) an electrophoretic display element having a first surface and a second surface, said electrophoretic display element comprising:

(i) a capsule;

(ii) a dispersing fluid having a first optical property disposed within said capsule;
and

(iii) at least one electrophoretically-mobile particle disposed within said capsule, said at least one electrophoretically-mobile particle having a second optical property different from said first optical property, said at least one electrophoretically-mobile particle adapted to change position within said capsule under the influence of an applied electric field, thereby changing the optical properties of said display element; and

(b) a protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and

(c) an electrode disposed adjacent said second surface of said display element,

wherein application of an electrostatic voltage of less than 1000 volts across the display creates an electrostatic voltage of at least 5 volts across the electrophoretic element.

22. (Amended) [~~The display of claim 20~~] An electrostatically addressable display, comprising:

(a) an electrophoretic display element having a first surface and a second surface, said electrophoretic display element comprising:

(i) a capsule;

(ii) a dispersing fluid having a first optical property disposed within said capsule;
and

(iii) at least one electrophoretically-mobile particle disposed within said capsule, said at least one electrophoretically-mobile particle having a second optical property different from said first optical property, said at least one

electrophoretically-mobile particle adapted to change position within said capsule under the influence of an applied electric field, thereby changing the optical properties of said display element; and

(b) a protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and

(c) an electrode disposed adjacent said second surface of said display element,

wherein said protective layer disposed adjacent said first surface of said capsule comprises a layer having a resistivity less than 10^{12} ohm-centimeters and said electrophoretic element comprises a material having a resistivity greater than 10^{12} ohm-centimeters.

23. (Amended) [~~The display of claim 20~~] An electrostatically addressable display, comprising:

(a) an electrophoretic display element having a first surface and a second surface, said electrophoretic display element comprising:

(i) a capsule;

(ii) a dispersing fluid having a first optical property disposed within said capsule; and

(iii) at least one electrophoretically-mobile particle disposed within said capsule, said at least one electrophoretically-mobile particle having a second optical property different from said first optical property, said at least one electrophoretically-mobile particle adapted to change position within said capsule under the influence of an applied electric field, thereby changing the optical properties of said display element; and

(b) a protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and

(c) an electrode disposed adjacent said second surface of said display element,

wherein said protective layer comprises a material having a resistivity greater than a resistivity of said electrophoretic element and a thickness that is not more than 20% of the thickness of a layer of said electrophoretic elements, whereby a

resistance of said protective layer is approximately 20% of a resistance of said electrophoretic element.

24. (Amended) [~~The display of claim 19~~] An electrostatically addressable display, comprising:

- (a) an electrophoretic display element having a first surface and a second surface;
- (b) a flexible protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and
- (c) an electrode disposed adjacent said second surface of said display element, wherein said protective layer disposed adjacent said first surface of said display element comprises a layer of polymeric material.

25. (Cancelled)

26. (Amended) [~~The display of claim 19~~] An electrostatically addressable display, comprising:

- (a) an electrophoretic display element having a first surface and a second surface;
- (b) a flexible protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and
- (c) an electrode disposed adjacent said second surface of said display element, wherein said protective layer disposed adjacent said first surface of said display element comprises a layer of an insulating material having a plurality of conductive structures extending therethrough.

27. (Amended) [~~The display of claim 19~~] An electrostatically addressable display, comprising:

- (a) an electrophoretic display element having a first surface and a second surface;
- (b) a flexible protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and
- (c) an electrode disposed adjacent said second surface of said display element,

wherein said protective layer disposed adjacent said first surface of said display element comprises a first region having a first resistivity and a second region having a second resistivity.

32. (Amended) [~~The display of claim 19~~] An electrostatically addressable display, comprising:

(a) an electrophoretic display element having a first surface and a second surface;

(b) a flexible protective layer disposed adjacent said first surface of said display element, said protective layer capable of transmitting charge; and

(c) an electrode disposed adjacent said second surface of said display element,

wherein said protective layer disposed adjacent said first surface of said display element comprises a first region having a first resistivity and a plurality of regions having a second resistivity.

34. (Cancelled)

35. (Cancelled)

36. (Cancelled)

37. (Amended) [~~The method of claim 34~~] A method for addressing an electrostatically addressable display element, comprising the steps of:

(a) providing an electrophoretic element comprising:

(i) a capsule;

(ii) a dispersing fluid having a first optical property disposed within said capsule;
and

(iii) at least one electrophoretically-mobile particle disposed within said capsule, said at least one electrophoretically-mobile particle having a second optical property different from said first optical property, said at least one electrophoretically-mobile particle adapted to change position within said capsule under the influence of an applied electric field, thereby changing the optical properties of said display element;

(b) providing a protective layer disposed adjacent said capsule, said protective layer adapted to transmit charge;
(c) providing a first electrode disposed adjacent said capsule;
(d) disposing adjacent said protective layer an addressing electrode; and
(e) activating said addressing electrode in conjunction with said first electrode to subject said electrophoretic element to a selected one of said first applied electric field and said second applied electric field produced between said first electrode and said addressing electrode so as to address said electrophoretic element,
wherein said addressing electrode comprises part of a printer apparatus through which said display element is passed to effect said addressing.

38. (Cancelled)

39. (Cancelled)

40. (Cancelled)